UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, v. ALLAN SHEPPARD, Defendant.	)))))))))	2:11-CR-313-GMN-(RJJ)

SECOND AMENDED FINAL ORDER OF FORFEITURE

On August 27, 2012, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c) based upon the plea of guilty by defendant ALLAN SHEPPARD to a criminal offense, forfeiting specific property alleged in the Criminal Indictment and shown by the United States to have the requisite nexus to the offense to which defendant ALLAN SHEPPARD pled guilty. Criminal Indictment, ECF No. 1; Minutes of Change of Plea Proceedings, ECF No. 61; Preliminary Order of Forfeiture, ECF No. 65.

This Court finds the United States of America published the notice of the forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from September 1, 2012, through September 30, 2012, and notified all known third parties by personal service of their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 66; Notice of Filing Service of Process, ECF No. 67.

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On September 25, 2012, the United States Marshals Service personally served Brandi Stokes with the Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process, ECF No. 67.

In November 2012, the United States of America was notified by Brandi Stokes of her intent to file a petition with the Court. On February 11, 2013, the Petition, Stipulation for Return of Property and Order was filed with the Court. On February 13, 2013, the Order Granting the Petition, Stipulation for Return of Property was entered. Proposed Petition for Stipulation for Return of Property, ECF No. 74; Order, ECF No. 75.

This Court finds no other petition was filed herein by or on behalf of any person or entity and the time for filing such petitions and claims has expired.

This Court finds no petitions are pending with regard to the assets named herein and the time for presenting such petitions has expired.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right, title, and interest in the property hereinafter described is condemned, forfeited, and vested in the United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to law:

a. a Smith & Wesson .357, Model 686-4 revolver, serial number BSC3293; and

b. any and all ammunition (“property”).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as any income derived as a result of the United States of America’s management of any property forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

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The Clerk is hereby directed to send copies of this Order to all counsel of record and three certified copies to the United States Attorney's Office.

DATED this 19th day of February, 2013.

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Gloria M. Navarro
United States District Judge